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Lawyers Our Work

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Internal Investigations

PRACTICE LEADERS

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INVESTIGATIONS, COMPLIANCE AND DEFENSE

For more than 60 years, we have represented individuals and corporations in complex criminal investigations and prosecutions. Our lawyers have tried hundreds of jury and bench trials to verdict and conducted countless investigations of potential wrongdoing. Our practice is well known for having completed the largest internal investigation in US history, representing the court-appointed examiner in the Lehman Brothers Holdings bankruptcy, among other notable matters.

The Jenner & Block team includes two former US Attorneys; the former Principal Deputy Assistant Attorney General for the Criminal Division of the US Department of Justice (DOJ); the former Presidentially appointed first Special Inspector General of the historic Troubled Asset Relief Program (TARP); 11 former assistant US Attorneys and several former supervisors of US Attorney's offices; the former Associate Attorney General of the United States; and two lawyers who have completed secondments to the UK's Serious Fraud Office.

We represent individuals and businesses in criminal prosecutions, grand jury investigations, extradition proceedings and civil enforcement actions brought by state and federal agencies, including the Securities Exchange Commission. Our high level of credibility with government officials enables us to minimize the damage and disruption caused by these matters. If an indictment or charge cannot be avoided, we can advise on the risks and benefits of going to trial versus accepting a plea, and we have the experience to take the matter to trial if necessary.

Our lawyers conduct internal investigations for companies that are faced with internal or external allegations of wrongdoing or that want to audit proactively for potential misconduct. Our experience with many government enforcement agencies enables us to provide sound advice concerning the best course of action if wrongdoing is identified, including potential disclosure to authorities. We also assist clients in creating and implementing compliance programs designed to avoid problems.

We are recognized leaders in counseling and defending clients regarding violations of the Foreign Corrupt Practices Act (FCPA), an area often in the news because of increasingly aggressive government enforcement. We are well known and respected by the Department of Justice FCPA unit due to our long history of interaction with that organization. We have conducted FCPA investigations for major corporate clients around the world and counseled companies with respect to FCPA compliance matters in more than 48 foreign countries.

In addition, our lawyers have extensive experience counseling clients on a number of harassment issues at all stages of a potential or extant claim. The #MeToo movement has shined a spotlight on the risk of sexual harassment in all business sectors. Companies of all sizes and across industries are carefully reviewing their harassment training policies and protocols to ensure they are prepared to handle any allegations of sexual misconduct in the workplace. Many of our partners have held leadership roles in public and private organizations and have themselves handled allegations of workplace misconduct from the employer perspective.

Jenner & Block lawyers also are skilled at spotting the risks of a potential misconduct claim through preventative compliance reviews, which can highlight areas for proactive policy or training enhancements. When a claim arises, our lawyers apply nuanced techniques to collect and assess evidence in these sensitive cases and effectively manage the risks attendant to a claim through a targeted investigation and remediation.

HIGHLIGHTS



May 2, 2019 DOJ Releases New Guidance on "Evaluation of Corporate Compliance Programs"



May 2, 2019
"New Indictment a Reminder of CPSC's Enforcement Capabilities," New York Law Journal



April 25, 2019
Wade Thomson and E.K.
McWilliams Discuss Recent
Cryptocurrency FinCEN
Action in Law360 article

In addition, our Investigations, Compliance and Defense lawyers handle a variety of matters for colleges, universities and other educational institutions. We operate at the nexus of compliance and litigation in the large-scale matters that pose significant risk to the legal, financial and reputational standing of major institutions, as well as in the routine but difficult matters that universities and other affiliated institutions face every day. Colleges and university athletic departments must comply with National Collegiate Athletic Association (NCAA) and regional conference rules and regulations, and breakdowns in compliance can result in significant reputational and financial damage. We have particular experience in representing universities in NCAA investigations and enforcement proceedings. Our team can help guide universities through preventative and remedial athletic compliance program reviews, and can recommend policy and practice changes when appropriate. We can provide training on risks faced by athletic departments, administrators and student athletes. And if rules violations are discovered, we can assist our clients in investigating past events and responding to inquiries by the NCAA.

We also assist colleges and universities with responding to the full range of issues surrounding campus sexual violence and sexual harassment—including compliance with Title IX, the Clery Act, and the Campus SaVE Act—and determining how these laws intersect with the Federal Educational Rights and Privacy Act (FERPA) and other federal and state requirements that apply to educational institutions. We provide advice on developing and implementing sexual misconduct policies and procedures consistent with each client's educational mission and core values. We also represent clients facing government investigations, congressional oversight and defensive litigation. And we counsel clients on crisis response, including formulating considered and effective communication strategies.

We handle significant civil fraud litigation and secured the largest award to date from an arbitration panel of the Financial Industry Regulatory Authority. We also have substantial experience representing clients in qui tam actions, Congressional investigations, financial and securities fraud investigations, food and drug safety matters, health care fraud and abuse investigations and public corruption.

We also spend considerable time on public service matters such as law reform work for the Chamber of Commerce involving government intrusion into the attorney-client privilege and the handling of criminal matters for indigent clients.

Locations

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